

**CLAIM OF
BENEFICIAL USE
for Transfer New or Additional
POD Only**

OREGON Oregon Water Resources Department
 725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD
WATER RESOURCES
DEPARTMENT

A fee of \$230 must accompany this form for any Transfer final orders including a water right with a priority date of July 9, 1987, or later.

Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

A separate form shall be completed for each transfer.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:

<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.

A claim of beneficial use includes both this report and a map. If the map is being mailed separately from this form, please include a note with this form indicating such.

If you have questions regarding the completion of this form, please call 503-979-9103.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see:

<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx>

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SECTION 1

GENERAL INFORMATION

Type of Authorized Change

This Claim is being submitted for a transfer where the only authorized change was a change in either point(s) of diversion or additional point(s) of diversion, or a combination of both. **YES**

If additional changes were authorized, you will need to select a different form.

1. File Information

APPLICATION #

T-8131

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Seymour Family LLC		PHONE NO. (503) 392-4185	ADDITIONAL CONTACT No. (503) 812-6035
ADDRESS 7580 Redberg Rd			
CITY Cloverdale	STATE OR	ZIP 97112	E-MAIL Seymourj8@gmail.com

If the current property owner is not the transfer holder of record, it is recommended that an assignment be filed with the Department. ***Each transfer holder of record must sign this form.***

3. Transfer holder of record (this may, or may not, be the current property owner)

TRANSFER HOLDER OF RECORD NA		
ADDRESS NA		
CITY NA	STATE NA	ZIP NA

4. Date of Site Inspection:

03/06/2024

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
John Seymour	03/06/2024	Co-Owner

6. County:

Tillamook

7. If any property described in the place of use of the transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):

OWNER OF RECORD NA		
ADDRESS NA		
CITY NA	STATE NA	ZIP NA

Add additional tables for owners of record as needed

**SECTION 2
SIGNATURES**

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CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



CWRE NAME Bruce D. Wilson		PHONE NO. (866) 493-3243	ADDITIONAL CONTACT NO. (503) 980-1408
ADDRESS 1975 Rock Ledge Dr. NE			
CITY Keizer	STATE OR	ZIP 97303	E-MAIL BDWEng@comcast.net

Transfer Holder of Record Signature or Acknowledgement

Each transfer holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
<i>John Seymour</i>	John Seymour	Co-Owner	6/10/24

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SECTION 3
CLAIM DESCRIPTION

Note: The Claim only needs to describe the new or additional point(s) of diversion. This Claim does not need to provide information for the original point(s) of diversion unless the original point of diversion is either a new or additional point of diversion on another right involved in this transfer.

1. New or additional point of diversion name or number:

POINT OF DIVERSION (POD) NAME OR NUMBER (CORRESPOND TO MAP)	SOURCE
WPOD	Nestucca River

2. Variations:

Was the use developed differently from what was authorized by the transfer final order, **NO** or extension final? If yes, describe below.

(e.g. "The order allowed three new/additional points of diversion. The water user only developed one of the points.")

NA

3. Claim Summary:

NEW OR ADDITIONAL POD NAME OR #	MAXIMUM RATE AUTHORIZED IN ORDER	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED
WPOD	0.38 CFS or 171 GPM	0.95 CFS or 425 GPM	NA

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SECTION 4 SYSTEM DESCRIPTION

Are there multiple new or additional Points of Diversion (POD)s? NO

If "YES" you will need to copy and complete a separate Section 4 for each POD.

POD Name or Number this section describes (only needed if there is more than one):

NA

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A. POD System Information

Provide the following information concerning the point of diversion. Information provided must describe the equipment used to appropriate water from the point of diversion.

1. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Berkley	H5130	Unknown	Centrifugal	4	3

2. Motor Information

MANUFACTURER	HORSEPOWER
Baldor	25

3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
25	60	12	10	0.95 CFS

4. Provide pump calculations:

Pump Capacity Calculation Sheet
using Department designed formula:

$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

Efficiency:

Centrifugal = 6.61
Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 25
Efficiency = 6.61
Lift (Ft) = 22 River to Field
Pump PSI = 60

Results Calculated

$(hp)(\text{efficiency}) = 165.25$
Head based on psi (Ft) = 152.4
Total dynamic head (Ft) = 174.4
(head + lift)

**Pump Capacity = 0.95 cubic feet per second
425 gallons per minute**

5. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
NA	NA	NA	NA

Reminder: For pump calculations use the reference information at the end of this document.

B. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM’S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the diversion involve a gravity flow pipe? NO

If “NO”, items 2 through 4 relating to this section may be deleted.

C. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING’S FORMULA FOR CANALS AND DITCHES)

1. Does the diversion involve a gravity flow ditch or canal? NO

If “NO”, items 2 through 4 relating to this section may be deleted.

D. Additional notes or comments related to the system:

None

**SECTION 5
CONDITIONS**

All conditions contained in the transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Describe how the water user has complied with each of the development timelines established in the transfer final order and any extensions of time issued for the transfer:

	DATE FROM TRANSFER	DATE THE NEW AND/OR ADDITIONAL POD(S) WERE READY FOR USE *THIS DATE MUST FALL BETWEEN THE “ISSUANCE DATE” AND THE “COMPLETENESS DATE”
ISSUANCE DATE	02/08/2001	
COMPLETENESS DATE FROM ORDER (C)	10/01/2002	09/30/2002

* MUST BE WITHIN PERIOD BETWEEN TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETE THE CHANGE

2. Is there an extension final order(s)?
If “NO”, you may delete the following table.

NO

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3. Measurement Conditions:

a. Does the transfer final order, or any extension final order require the installation of a meter or other approved measuring device? NO

If "NO", items b through f relating to this section may be deleted.

4. Recording and reporting conditions

a. Is the water user required to report the water use to the Department? NO

If "NO", item b relating to this section may be deleted.

5. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion? YES

If "NO", items b through e relating to this section may be deleted.

Reminder: If fish screening devices were required, the COBU map must indicate their location in relation to the point of diversion.

b. Has the fish screening been installed? YES

c. When was the fish screening installed?

DATE	BY WHOM
02/27/2012	A fish screen was initially installed with the pump prior to October 2002 and upon inspection by the Oregon Department of Fish and Wildlife was determined not to meet the state criteria for fish protection. An updated fish screen that meets the state criteria for fish protection was installed on February 27, 2012.

Reminder: If the permit or transfer final order was issued on or after February 1, 2011, the fish screen is required to be approved by the Oregon Department of Fish and Wildlife regardless of the rate of diversion.

d. If the diversion involves a pump *and* the total diversion rate of all rights at the point of diversion is less than 225 gpm (0.5 cfs) and the permit was issued prior to February 1, 2011:

- Has the self-certification form previously been submitted to the Department? NA

If not, go to <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>, complete and attach a copy of the 'ODFW Small Pump Screen Self Certification' form to this claim, and send a copy of it to the Oregon Department of Fish and Wildlife (ODFW).

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. The ODFW self certification form needs to have been previously submitted or be attached to this form.

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e. If the diversion does **not involve a pump** or the **total** diversion rate of all rights at the point of diversion is 225 gpm (0.5 cfs) or greater:

- Has the ODFW approval been previously submitted? NA

If not, contact and work with ODFW to ensure compliance. To demonstrate compliance, provide signed documentation from ODFW. A form is available at:

<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. In order to receive a favorable approval, the ODFW/WRD "Fish Screen Inspection" form needs to have been previously submitted or be attached to this form.

6. By-pass Devices

- a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion? NO

If "NO", items b and c relating to this section may be deleted.

7. Other conditions required by the transfer final order or extension final order:

- a. Was the water user required to restore the riparian area if it was disturbed? NO
- b. Was a fishway required? NO
- c. Other conditions? NO

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

None

**SECTION 6
ATTACHMENTS**

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Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
SeymourCBUMap12-19-2023	Claim of Beneficial Use Map
SeymourWR55_118	OWRD Approval of POD Transfer
SeymourFishScreenDocuments	ODFW Approval of Fish Screen

**SECTION 7
CLAIM OF BENEFICIAL USE MAP**

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on polyester film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

For the purpose of this Claim, the map identifying the location of the place of use does not require a new survey. The location of the place of use identified on the Claim map should be based on the

original right of record at the time the transfer final order was issued. In transfers approved for additional points of diversion, the original points must be identified the map based on the original right of record at the time the transfer final order was issued.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

USDA-FSA-APFO Digital Ortho Mosaic, 1 map, 4.78 GB, 12/12/2022, National Agriculture Imagery Program (NAIP), ortho_1-1_hn_s_or057_2022_1 Tillamook County

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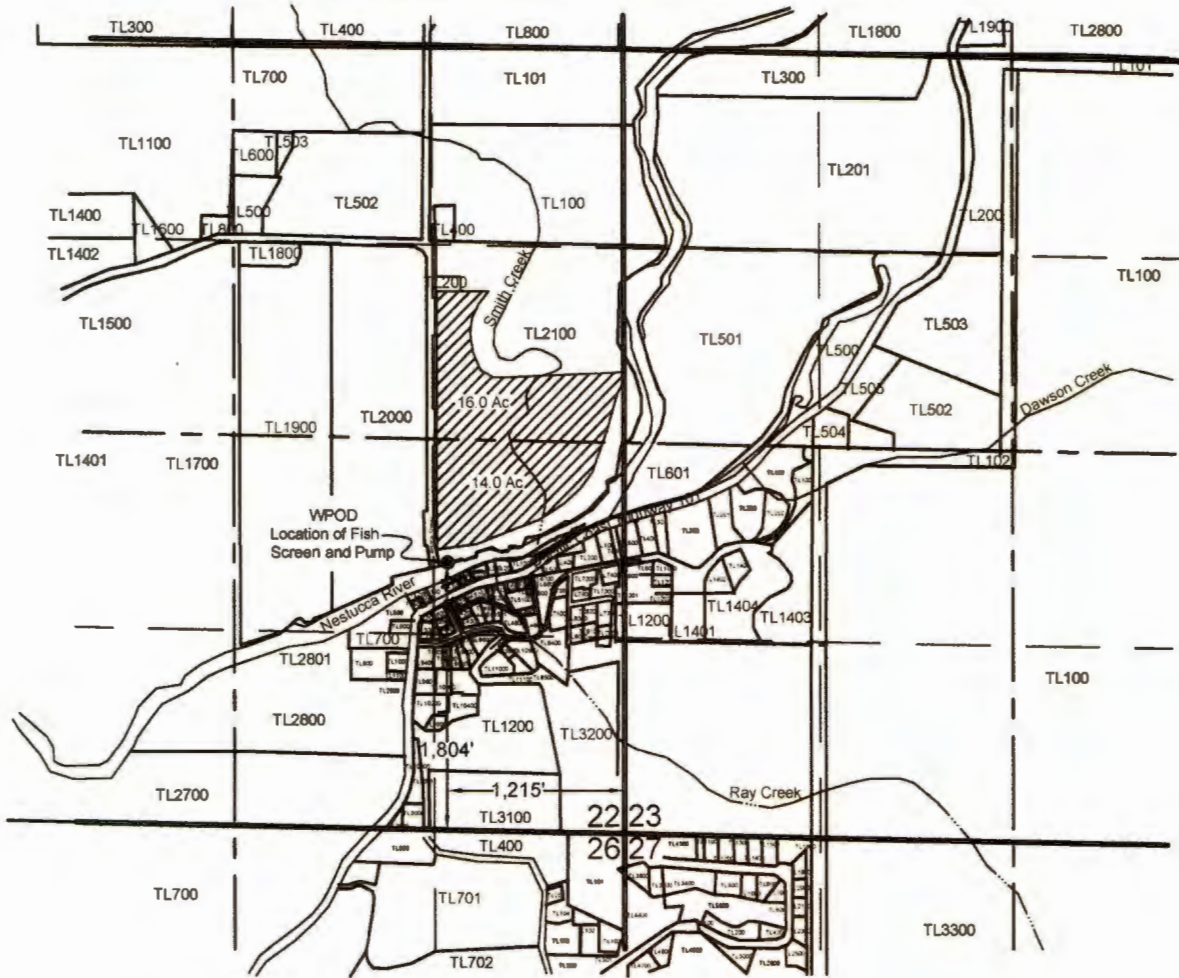
Map Checklist

Please be sure that the map you submit includes ALL the items listed below.
(Reminder: Incomplete maps and/or claims may be returned.)

- Map on polyester film
- Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- Township, Range, Section, Donation Land Claims, and Government Lots
- If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.) ***Not required for this type of Claim of Beneficial Use**
- Point(s) of diversion or appropriation (illustrated and coordinates)
- Tax lot boundaries and numbers
- Source illustrated if surface water
- Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- Application and permit number or transfer number
- North arrow
- Legend
- CWRE stamp and signature

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Tillamook County
Township 4 South, Range 10 West from the Willamette Meridian

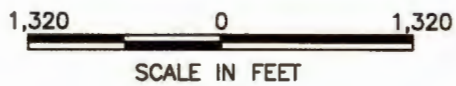


Map Legend

- Acres Irrigated from WPOD
30 Ac
- Quarter Quarter Section Line
- Half Section Line
- Section Line
- Tax Lot Boundary Line
- Point of Diversion (WPOD)

Certified Water Right Examiner
255WRE
Bruce D. Wilson
Bruce D. Wilson
May 22, 1990
STATE OF OREGON

Expires 06/30/2024



PERMANENT WATER RIGHT TRANSFER APPLICATION MAP
FOR
Transfer 8131
in the name of
Seymour Family LLC

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Point of Diversion (WPOD) is 1,215 feet west and 1,804 feet north of the southeast corner of Section 22, Township 4 South, Range 10 West from the Willamette Meridian.

NOTE: THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF A WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

STATE OF OREGON

COUNTY OF TILLAMOOK

ORDER APPROVING A CHANGE IN POINT OF DIVERSION

Pursuant to ORS 540.510 to 540.530, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TRANSFER 8131 submitted by

DENNIS E. AND CHRISTINA C. GLEASON
13505 OLD WOODS ROAD
CLOVERDALE, OREGON 97112.

The right to be modified, as evidenced by Certificate 21896, was perfected under Permit 17470 with a date of priority of JANUARY 14, 1947. The right allows the use of SMITH CREEK, a tributary of the NESTUCCA RIVER, for IRRIGATION OF 30.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.38 cubic foot per second, if available at the authorized point of diversion: SE¼ NE¼, SECTION 22, T 4 S, R 10 W, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005, you may either petition for judicial review or petition the Director for reconsideration of this order.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2½ acre-feet for each acre irrigated during the irrigation season of each year.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

SE¼ NE¼ 16.0 ACRES
NE¼ SE¼ 14.0 ACRES
SECTION 22
TOWNSHIP 4 SOUTH, RANGE 10 WEST, W.M.

The right to use the water for the above purpose is restricted to beneficial use on the lands or place of use described

The applicant proposes to change point of diversion to:

NE¼ SE¼, SECTION 22, T 4 S, R 10 W, W.M.; 797 FEET SOUTH AND 1198 FEET WEST FROM THE E¼ CORNER OF SECTION 22.

THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 2002.
2. The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.

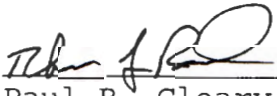
3. When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
4. Water shall be acquired from the same surface water source as the original point of diversion.
5. The water user shall install and maintain a fish screen or fish by-pass device. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife prior to beginning of construction and shall be installed under the supervision of the Department of Fish and Wildlife.

The water user may participate in the Oregon Department of Fish and Wildlife's cost sharing program for installation of screening and by-pass devices in accordance with ORS 540.525.

Certificate 21896 is cancelled. When satisfactory proof of the completed change is received, a new certificate confirming this water right will be issued.

WITNESS the signature of the Water Resources

Director, affixed FEB 08 2001.


For Paul R. Cleary, Director



**OREGON DEPARTMENT OF FISH AND WILDLIFE
OREGON WATER RESOURCES DEPARTMENT**

FISH SCREEN INSPECTION FORM

Applicant

Name: DENNIS Gleason
 Address: 13505 Old Woods Rd., Cloverdale Phone (503) 392-5854
 Application Number: T-8131 Water Right Permit Number: 17470 (cert: 21896)
 Water Right Amount (cfs) 0.38 cfs

Diversion

Stream: Nestucca River Tributary to: Ocean
 Address (if different than applicants): _____
 Diversion Type (gravity or pump): pump Location: T 4S, R 10W, Sec. 22
 GPS Coordinates: 45.2072491N, 123.8898346W SATS: _____

Pump Information

Brand: Baldor Industrial Motor Horsepower: 25 Intake Size: 6"

Screen Information

Type/Brand: unknown Installed by: unknown
 Date Installed: 1 / 1 / unknown Date of Inspection: 8 / 3 / 11
 Inspected by: Dave Stewart Agency: ODFW

Comments: _____

- Screen meets current state criteria for fish protection.
- Screen does not meet current state criteria for fish protection.
- Another screen inspection should be done before water use begins.

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Oregon

John A. Kitzhaber, MD, Governor

Department of Fish and Wildlife

North Coast Watershed District

4907 Third Street

Tillamook OR 97141

(503) 842-2741

FAX (503) 842-8385

www.dfw.state.or.us



August 9th, 2011

Dennis Gleason
13505 Old Woods Road
Cloverdale, OR 97112

Re: Fish Screen Review

Mr. Gleason,

This letter is regarding a review the Oregon Department of Fish and Wildlife (ODFW) conducted August 3, 2011 pertaining to your fish screen and intake system on the Nestucca River near Cloverdale Oregon (45.2072491N, 123.8898346W). Al Duncan requested this review relating to Oregon Water Resources Permit # T-8131.

Currently your fish screen does not meet current state criteria for protecting fish species within the Nestucca River. There is a Cost Share Program available within ODFW that has the potential to contribute up to 60% of the total cost for a new fish screen that would meet state criteria. Please contact our ODFW Screen Shop Coordinator (Marty Olson, 541-296-8026) to obtain additional information regarding this program. If you have any additional questions or need further information regarding this review please give me a call.

541-296-8026

Sincerely,

Dave Stewart
Habitat Conservation Biologist, ODFW
4907 3rd St.
Tillamook, OR 97141
503-842-2741
dave.stewart@state.or.us

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John A. Kitzhaber, MD, Governor

Department of Fish and Wildlife

The Dalles Screen Shop

3561 Klindt Drive

The Dalles OR 97058

(541) 296-8026

(541) 296-7889

dfw.state.or.us

March 1, 2012

Oregon Water Resources Department
725 Summer St NE Suite A
Salem, Oregon 97301

RE: Permit # S17470, Transfer # T-8131,

Oregon Department of Fish and Wildlife Fish Screens field coordinator, Martin Olson, has reviewed the point of diversion and the fish screen associated with Permit # S17470, Transfer # 8131. The fish screen and bypass conditions included in Transfer # 8131 have been met.

Transfer # 8131

The water user shall install and maintain a fish screen or fish by-pass device. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife prior to beginning of construction and shall be installed under the supervision of the Department of Fish and Wildlife.

Please contact me if you have any questions regarding this letter.

Sincerely,

Martin Olson
Fish Screens Field Coordinator
The Dalles Screens Shop

Cc:

Dennis Gleason

503.986.0893

Water Resources

Bill Ferber
725 Summer Street
Northeast Suite A
Salem 97301

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John A. Kitzhaber, M.D., Governor

Department of Fish and Wildlife

Fish Division
3406 Cherry Avenue NE
Salem, OR 97303
(503) 947-6200
Fax (503) 947-6202/6203
www.dfw.state.or.us

March 19, 2012

Dennis Gleason
13505 Old Woods Road
Cloverdale, OR 97112



Dear Mr. Gleason:

Thank you for participating in the State of Oregon's fish screening cost-share and tax credit incentive programs. The Final Certificate for this project (S-01-0039) installed February 27, 2012 on the **Nestucca River** was issued March 13, 2012. This letter serves as documentation of that certificate.

Total construction and installation costs amounted to \$2,036.50. Your share is \$814.60 and the ODFW **reimbursement** is **\$1,221.90**.

You should receive your reimbursement in 3 to 4 weeks.

You are also entitled to a state tax credit pursuant to ORS 315.138 for 50% of your net certified costs of screen installation up to a maximum of \$5,000. Your net certified costs for this project are \$814.60. This entitles you to a potential state tax credit of **\$407.30**.

Your tax advisor or the Oregon Department of Revenue can assist you in incorporating this tax credit into your tax filing.

Sincerely,

Alan Ritchey
Fish Screen & Passage Program Manager

Encl. - Applications for Certification of a Fish Protection Device
cc - Lois Williams - OR Dept. of Revenue

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